



Sheriffs & Peace Officers Association

June 28, 2011

To: State Tribal Relations Interim Committee.
Fr: Jim Smith, Montana Sheriffs and Peace Officers Association
(MSPOA).
Re: Law Enforcement and Indian Country

Good afternoon members of the State Tribal Relations Interim Committee.

My name is Jim Smith. I am a Helena lobbyist. I represent the Montana Sheriffs and Peace Officers Association. Thanks very much for the invitation today and the opportunity to share a few thoughts with State Tribal Relations Interim Committee on the important subject of Law Enforcement and Indian Country.

For three years, 2008-2010, MSPOA worked under contract to the Montana Department of Transportation on the subject of racial profiling. Bills were passed in the 2001, 2003, 2005 and 2007 Sessions that established state and local policy with regard to how law enforcement officers are trained and how they conduct traffic stops. My job was: 1) to be sure that local law enforcement agencies—primarily Sheriff's offices and Police Departments---were in compliance with Montana law, as found at MCA 44-2-117; and 2) to be sure that Tribal Governments were aware of these efforts and supportive of them.

I journeyed extensively across and around Montana for three years doing this work. Every local law enforcement agency was surveyed to be sure they were aware of; and in compliance with the racial profiling law in Montana. I visited every Reservation at least twice during that period, spoke to the Tribal Councils on Fort Peck, Rocky Boys, Blackfeet and Fort Belknap Reservations. I also visited nearly every Police Department and Sheriff's Office, reviewed the requirement in the law, and discussed the local relationships between their agencies and the nearby Tribal Governments. I presented workshops to the law enforcement associations, county attorneys, and others. I traveled with and reported regularly to the State Tribal Relations Committee during the last two interims.

In addition to racial profiling, we began to realize the need for law enforcement officers to have training and education in the general area of cultural awareness. And I learned that this type of training must be 'tribal specific and culturally appropriate' in order to be effective. Toward that end we arranged a training in this area on the Flathead Reservation in December of 2009. We followed that

with a similar training on the Blackfeet reservation in June of 2010. The faculty and administration at Blackfeet Community College helped out with that training.

As the contract with MSPOA came to its conclusion in November of 2010, I recommended continued focus on cultural awareness training on the rest of the Reservations in Montana.

My belief is that there is a great deal of work to be done in this area; and that it will lead directly to improved relationships between law enforcement and tribal Governments. I've been off the project since last November; but now that the Session is over, I intend to seek support and funding sources for continued work in this area.

The Montana Department of Transportation deserves a great deal of credit for stepping up to this important issue, offering the contract to the MSPOA; and for allowing me to be involved. I believe a great deal of progress was made. I also believe that we still have lots to do to improve and strengthen relationships in Indian Country between Tribal Governments and local law enforcement agencies.

I deeply appreciate the invitation to be here today. I would like to stay involved in this. I am willing to work with Mr. Casey Barrs; and I am always available to this Committee.

I was fortunate enough to be involved in this area; but there are other individuals and agencies that would welcome the opportunity to visit with the State Tribal Relations Committee. I can think of several Montana sheriffs who have an extensive background and great interest in this subject. The Montana Department of Justice, and especially the Montana Highway Patrol have devoted resources and technology to improving relations in Indian Country. The United States Attorney's Office is the primary law enforcement agency for major crimes in Indian Country. I am certain that these agencies---the state and federal Departments of Justice---would be more than willing to work with this Committee on these issues.

Thanks very much for the opportunity to visit with you today. If there are any questions I'll try to answer them as best I can.